

CRUELTY AGAINST ANIMAL: LOOKING AT THE LAW

By

Mazyu Syaziana Binti Mohd Yusof (2005810014)

Mira Mirna Binti Musa (2005479482)

Submitted in Partial Fulfillment of the Requirements for the Bachelor in Legal Studies
(Hons)

University Teknologi MARA

Faculty of Law

October 2007

The students/authors confirmed that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

ACKNOWLEDGEMENT

This research project has been carried out by a team which has included Mazyu Syaziana Yusof and Mira Mirna Musa. Our contribution to this project is so great; we had spent most of our time in this semester to put our heart and sole in order to complete this research in accordance with the due date.

Besides that we would also like to thank our supervisor En. Ashran for guiding us throughout our journey in completing this project paper. It was En. Ashran who were with us through thick and thin. Without him, we might not be able to finish this project paper and working with him was a pleasant experience, he was very cooperative even though he has other commitments. Thank you so much En. Ashran, your guidance is much appreciated.

Not to forget, a big thank you to Mr Allan a member of the Society for the Prevention Of Cruelty to Animals (SPCA) Ampang, for helping us so much with our research and in providing us with a lot of information regarding our research topic.

Last but not least, we would also like to thank all of the Animal Lovers that we interviewed. And also a special thank you to all the authors and writers of the entire article that we referred to in coming up with this informative research.

ABSTRACT

Basically, our research is about animal cruelty and the law that governs it in Malaysia. Our aim in doing this research is to fill in the loop hole in our local legislation which we think is not sufficient to protect the animal rights in Malaysia. What this project set up to do is to amend the current law to make it more severe in punishing the abuser. Besides that, we also discuss on how to educate the public regarding animal cruelty.

By doing this research, we realize that there actually exist errors in the current legislation. That is why we are proposing for a higher penalty to be imposed so that animal cruelty cases will decrease.

As a conclusion, we got to know that this research will not only gives benefit to the helpless animals but also to people who fight for animal rights. Furthermore, it is time for our legislator to make certain amendment to the existing legislation in order to move one step further.

TABLE OF CONTENTS

Acknowledgement	ii
Abstract	iii
Contents	iv

CHAPTER ONE: INTRODUCTION: A GUIDELINE AND AN OVERVIEW OF THE RESEARCH

1.0	Introduction	1
1.1	Background	2
1.2	Research Questions	5
1.3	Objective and Scope	5
1.4	Significance of the Research	7
1.5	Limitations	8
1.6	Research Methodology	9
1.7	Outline of the Structure of the Paper	10
1.8	Conclusion	11

CHAPTER TWO: LITERATURE REVIEW: PROBLEMS OF ANIMAL CRUELTY IN MALAYSIA.

2.0	Introduction	12
2.1	General Overview on Animal Cruelty	14
	2.1.1 Definition of Animal Cruelty	14
	2.1.2 Types of Animal Cruelty	16
	2.1.3 Animal Abuser	20
2.2	Issues Regarding Animal Cruelty	21
	2.2.1 Animal Cruelty from the Perspective of Religion	22

2.2.2	The Reasons Why People Abuse Animals	23
2.2.3	Ways to Prevent Animal Abuse	24
2.2.4	Educating the Public	25

CHAPTER THREE: THE LEGISLATION ON ANIMAL CRUELTY AND THE AVAILABLE SUPPORTS ON ANIMAL RIGHTS.

3.0	Introduction	27
3.1	Legislative Scope in Malaysia	28
3.1.1	Definition	28
3.1.2	The Animal Act 1953	28
3.1.2.1	Section 44	28
3.1.2.2	Section 47	31
3.1.2.3	Section 48	32
3.1.3	The Penal Code	32
3.2	The Non Governmental Organization	33
3.2.1	Society for the Prevention of Cruelty to Animals (SPCA)	33
3.3	Comparison between Malaysia and other Countries in Terms of Law and Punishment	35

CHAPTER FOUR: RESEARCH FIELDWORK AND FINDINGS:

THE LACUNA IN MALAYSIA'S LEGISLATION AND THE CURRENT SITUATION REGARDING ANIMAL CRUELTY IN MALAYSIA

4.0	Introduction	38
4.1	The Legal System	40
4.1.1	The Animal Act 1953	40
4.1.2	The Penal Code	42
4.2	The Situation of Animal Cruelty in Malaysia	43